

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks.

Claims 1-31 are pending in the application, with Claims 1 and 15 being independent. Claim 15 is amended herein. Support for the claim amendment can be found in the original disclosure. No new matter has been added.

§ 103 REJECTIONS

Claims 1-31 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. 6,279,029 to Sampat *et al.* (hereinafter "Sampat") in view of U.S. Pub. 2004/0139157 to Neely (hereinafter "Neely").

Independent Claim 1, as currently presented, recites:

1. A system comprising:
a processor; and
one or more computer-readable media, the one or more computer-readable media including:
 - a presentation that includes media content, the media content comprising at least one of audio content and video content;
 - a media engine to obtain input information from the media content, the input information including a descriptor and media type information;
 - a destination object to receive the input information from the media engine, the destination object further selectively associates the input information with one or more output presentation descriptors, and to provide the one or more output presentation descriptors to the media engine; and
 - an application to provide the presentation to an output target, the application further configured to

dynamically create the media engine and the destination object,
wherein the media engine is further configured to setup at least one transform and obtain at least one media sink based on the one or more output presentation descriptors to process the presentation for output to the output target.

Applicant respectfully traverses the rejection. First, as noted in the Office Action, Sampat does not teach or suggest, “a *destination object* to receive the input information from the media engine, the destination object further selectively associates the input information with one or more output presentation descriptors, and to provide the one or more output presentation descriptors to the media engine,” as recited in Claim 1. (Emphasis added). (Office Action, Page 3, Lines 21-22; Page 4, Lines 1-3).

Moreover, the deficiencies of Sampat with respect to this element are not remedied by the disclosure of Neely. Neely discloses a “Class DescriptorManager” that is “implements on the client-side part of the Descriptor Distribution and Invalidation Protocol 36.” (Neely, Paragraph 67, Lines 4-6).

Assuming, *in arguendo*, that the “DescriptorManager” disclosed in Neely is equivalent to the destination object recited in Claim 1, Neely still does not teach or suggest, “a *destination object* to receive the input information from the media engine,” as recited in Claim 1.

This is apparent in the fact that Neely further discloses, immediately after the disclosure recited above, “the server side (of the Description Distribution and Invalidation Protocol 36) is implemented in class DescriptorUtilities.” (Neely Paragraph 67, Lines 6-7). Neely also discloses the manipulation of “principle objects,” that is, descriptors 30, 32,

between two class instances, the “DescriptorManager” and the “DescriptorUtilities”. (Neely, Paragraph 67, Lines 1-4). However, the “DescriptorUtilities,” disclosed in Neely is in the same type of class instance as “DescriptorManager”. (Neely, Paragraph 64, Lines 4-8).

In other words, if assuming, *in arguendo*, that the “DescriptorManager” disclosed in Neely is equivalent to the “*destination object*,” then the “DescriptorUtilities” is equivalent to another *object*, and not a “media engine,” as both “DescriptorManager” and “DescriptorUtilities” are disclosed by Neely as class instances. Thus, the “DescriptorUtilities”, as disclosed in Neely, is not equivalent to a “media engine,” as recited in Claim 1.

Indeed, further support for the fact that the “DescriptorUtilities” is not equivalent to the “media engine” recited in Claim 1 is found in the Office Action. The Office Action cites disclosures of Neely regarding a “modality transformation service 64,” not the “DescriptorUtilities”, as teaching the “media engine” recited in Claim 1. (Office Action, Page 4, Lines 14-16, “the application further configured to dynamically create the media engine [each modality transformation service 64 is initialized; paragraph 0110]”).

Further, Neely also does not teach or suggest that its “DescriptorManager” directly interacts with the “modality transformation service 64”. Accordingly, even if, *in arguendo*, the “DescriptorManager” is equivalent to the destination object in Claim 1, Neely does not teach or suggest that its “DescriptorManager” is capable of “receive the input information from the media engine,” as recited in Claim 1.

Second, as additionally noted in the Office Action, Sampat also does not teach or suggest, “the application further configured to dynamically create the media engine and the destination object *based on the one or more output presentation descriptors*,” as further recited in Claim 1. (Office Action, Page 4, Lines 3-4).

Moreover, the deficiencies of Sampat with respect to this element are not remedied by the disclosure of Neely. Neely discloses that “In step 348, each modality transformation service 64 is initialized.” (Neely, Paragraph 110, Lines 1-2). However, even assuming, *in arguendo*, that the “modality transformation service 64” disclosed by Neely is equivalent to the “media engine” recited in Claim 1, Neely nevertheless does not disclose that its “modality transformation service 64” is initialized based on the “media descriptor objects 32”, or for that matter, any other descriptors.

Thus, for at least the foregoing reasons, the cited references to Sampat and Neely, whether individually or in combination, do not teach, disclose, or fairly suggest every aspect of Claim 1. Accordingly, Claim 1 is believed to be allowable over the cited references.

Due to the Applicant’s earnest belief that the Claim 1, as rejected under Section 103(a), is allowable because its recited elements are not taught or suggested in the cited references, Applicant will not address motivation to combine with respect to Claim 1 during this response. However, Applicant hereby reserves the right to further challenge motivation to combine the cited references.

Dependent Claims 2-14 and 28-31 depend from independent Claim 1 and are allowable by virtue of this dependency, as well as for additional features that they recite. Applicant also respectfully requests individual consideration of each dependent claim.

Independent Claim 15, as currently presented, recites:

15. A method for use by an application in presenting a presentation, the method comprising:
selectively providing input information describing media content to be presented in the presentation to a destination object in response to an operation by a media engine;
selectively associating the input information with output information using the destination object, the output information enabling the transformation of the presentation for output to an output target; and
providing the output information from the destination object to the media engine,
wherein the media engine provides the presentation to the output target without requiring further interaction with the application by selectively obtaining one or more transforms and setting up one or more media sinks based on the output information.

Applicant respectfully traverses the rejection. Specifically, Sampat does not teach or suggest, “providing output information from the destination object to the media engine,” as recited in Claim 15, as the Office Action does not cite Sampat, but instead cites Neely in rejecting this element. (Office Action, Page 5, Lines 18-22).

Moreover, the deficiencies of Sampat with respect to this element are not remedied by the disclosure of Neely. Even Assuming, *in arguendo*, that Neely discloses providing “output information”, as recited in Claim 15, from a “modality transformation service 64”, Neely’s disclosure regarding a “descriptor distribution and invalidation protocol 36” nevertheless discloses the *invalidation* of “output information” rather than

providing the “output information” to a “media engine”, as recited in Claim 15. (Emphasis added).

Specifically, Neely discloses that the “descriptor distribution and invalidation protocol 36 assures that each user (e.g., the client, services and the protocol processes) of the descriptors 30, 32 accesses one and only one copy of each descriptor 30, 32, regardless of when the client accesses the tuple-space 24.” (Neely, Paragraph 48, Lines 1-6). Additionally, Neely discloses that this assurance is achieved by the invalidation of “media descriptor objects 32.” This is apparent in the following disclosure of Neely:

The Descriptor Distribution and Invalidation Protocol 36 *invalidates the media descriptor 32* when the media described by the metadata included in a description field (described in conjunction with FIG. 4) of the media descriptor object 32 is no longer available. *The Descriptor Distribution and Invalidation Protocol 36 manages perishable session and media descriptor objects 32 on the tuple-space 24.* Over time, the media described by the media descriptor object 32 may become invalid, e.g., if the media descriptor object 32 held information about a live media stream, that media descriptor object 32 is made invalid (i.e., becomes an invalid descriptor objects 30') when the live stream has ended. For example, if the media was a live CNN report, then the metadata for that live report becomes invalid when the report is finished. It should be noted, that a new media descriptor object 32 describing a recording of the CNN report would get a new media descriptor object 32.

(Neely, Paragraph 49, Lines 1-17). (Emphasis added). Thus, even assuming, *in arguendo*, that the media descriptors 32 are equivalent to “output information,” the *invalidation* of media descriptors 32 via the “descriptor distribution and invalidation protocol 36” is not equivalent to “*providing* output information from the destination object to the media engine,” as recited in Claim 15. (Emphasis added).

Moreover, it is well established that if the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being

modified, then the teachings of the references are not sufficient to render the claims prima facie obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). (MPEP 2143.01).

In this instance, even assuming, *in arguendo*, that the media descriptors 32 are equivalent to “output information,” the combination of Sampat and Neely teaches the invalidation of “output information,” rather than “providing output information from the destination object to the media engine,” so that an application may “obtaining one or more transforms and setting up one or more media sinks based on the output information,” as recited in Claim 15.

Thus, for at least the foregoing reasons, the cited references to Sampat and Neely, whether individually or in combination, do not teach, disclose, or fairly suggest every aspect of Claim 15. Accordingly, Claim 15 is believed to be allowable over the cited references.

Due to the Applicant’s earnest belief that the Claim 15, as rejected under Section 103(a), is allowable because its recited elements are not taught or suggested in the cited references, Applicant will not address motivation to combine with respect to Claim 15 during this response. However, Applicant hereby reserves the right to further challenge motivation to combine the cited references.

Dependent Claims 16-27 depend from independent Claim 15 and are allowable by virtue of this dependency, as well as for additional features that they recite. Applicant also respectfully requests individual consideration of each dependent claim.

In closing, Applicant's decision not to discuss the differences between the cited art and each dependent claim should not be considered as an admission that Applicant concurs with the conclusions set forth in the Office Action that these dependent claims are not patentable over the disclosure in the cited references. Similarly, Applicant's decision not to discuss differences between the prior art and every claim element, or every comment set forth in the Office Action, should not be considered as an admission that Applicant concurs with the interpretation and assertions presented in the Office Action regarding those claims. Indeed, Applicant believes that all of the dependent claims patentably distinguish over the references cited. Moreover, a specific traverse of the rejection of each dependent claim is not required, since dependent claims are patentable for at least the same reasons as the independent claims from which the dependent claims ultimately depend.

CONCLUSION

For at least the foregoing reasons, Claims 1-31 are in condition for allowance. Applicant respectfully requests reconsideration and withdrawal of the rejections and an early notice of allowance.

If any issue remains unresolved that would prevent allowance of this case, **Applicant requests that the Examiner contact the undersigned attorney to resolve the issue.**

Respectfully Submitted,

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